

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

1) VIDEO GAMING TECHNOLOGIES, INC.,)
)
)
 Plaintiff,)
)
)
 v.) Case No. 4:17-cv-00454-GKF-jfj
)
)
 1) CASTLE HILL STUDIOS LLC) **REDACTED**
 (d/b/a CASTLE HILL GAMING);)
 2) CASTLE HILL HOLDING LLC)
 (d/b/a CASTLE HILL GAMING); and)
 3) IRONWORKS DEVELOPMENT, LLC)
 (d/b/a CASTLE HILL GAMING))
)
 Defendants.)

**PLAINTIFF'S OBJECTIONS TO DEFENDANT'S DESIGNATIONS AND COUNTER-
DESIGNATIONS OF DEPOSITION TESTIMONY AND BRIEF ON UNUSUAL
OBJECTIONS TO DEFENDANT'S COUNTER-DESIGNATIONS**

Pursuant to the Court’s Fifth Amended Scheduling Order, Plaintiff Video Gaming Technologies, Inc. (“VGT”) hereby files, contemporaneously with its submission of annotated transcripts of deposition designations and counter-designations, its objections to Defendants’ (“CHG”) deposition designations and counter-designations and brief on two “unusual” objections VGT is asserting. VGT’s objections are set forth in [Appendix A](#) hereto. VGT’s objections include the following issues that merit briefing in advance of trial: (1) CHG’s failure to comply with [Federal Rule of Civil Procedure 32\(a\)\(6\)](#) by not specifying to which of VGT’s deposition designations its counter-designations relate and (2) CHG’s designation of testimony on topics that the Court’s Order granting in part VGT’s Partial Motion for Summary Judgment, [Dkt. 344](#), has removed from the case.

I. Failure to Comply with Rule 32(a)(6)

A. Background

On August 1, 2019, CHG filed Defendants' Deposition and Interrogatory Counter-Designations that, for all 24 identified depositions, specified counter-designations in the following format:

C. Sarah Carlson – June 21, 2018
Pg: 38 Ln: 25 - Pg: 39 Ln: 2
Pg: 60 Ln: 11 - 20
Pg: 61 Ln: 3 - 10
Pg: 61 Ln: 12 - 14
Pg: 61 Ln: 16 - 18
Pg: 171 Ln: 13 - 14
Pg: 178 Ln: 20 – 23

X. Jon Yarbrough – July 11, 2018		
Pg: 7 Ln: 11 - 24	Pg: 77 Ln: 13 - 24	Pg: 81 Ln: 20 - Pg: 82 Ln: 24
Pg: 23 Ln: 24 - Pg: 24 Ln: 3	Pg: 78 Ln: 1 - 11	Pg: 83 Ln: 1 - 14
Pg: 32 Ln: 19 - Pg: 39 Ln: 24	Pg: 79 Ln: 3 - Pg: 80 Ln: 9	Pg: 83 Ln: 24 - Pg: 84 Ln: 12
Pg: 45 Ln: 9 - 20	Pg: 80 Ln: 12 - 16	Pg: 84 Ln: 15 - Pg: 86 Ln: 9
Pg: 46 Ln: 22 - Pg: 47 Ln: 6	Pg: 81 Ln: 20 - Pg: 82 Ln: 24	Pg: 93 Ln: 8 - Pg: 94 Ln: 6
Pg: 60 Ln: 19 - Pg: 63 Ln: 12	Pg: 83 Ln: 1 - 14	Pg: 94 Ln: 13 - 17
Pg: 63 Ln: 15 - Pg: 65 Ln: 16	Pg: 83 Ln: 24 - Pg: 84 Ln: 12	Pg: 94 Ln: 20 - 21
Pg: 65 Ln: 20 - Pg: 72 Ln: 15	Pg: 84 Ln: 15 - Pg: 86 Ln: 9	Pg: 96 Ln: 12 - Pg: 97 Ln: 23
Pg: 72 Ln: 19	Pg: 93 Ln: 8 - Pg: 94 Ln: 6	Pg: 102 Ln: 10 - 18
Pg: 72 Ln: 22	Pg: 94 Ln: 13 - 17	Pg: 102 Ln: 20 - Pg: 104 Ln: 12
Pg: 72 Ln: 24 - Pg: 74 Ln: 15	Pg: 94 Ln: 20 - 21	Pg: 104 Ln: 14 - Pg: 106 Ln: 13
Pg: 74 Ln: 17 - Pg: 76 Ln: 15	Pg: 96 Ln: 12 - Pg: 97 Ln: 23	Pg: 106 Ln: 15 - Pg: 108 Ln: 13
Pg: 76 Ln: 18 - Pg: 77 Ln: 7	Pg: 102 Ln: 10 - 18	Pg: 108 Ln: 15 - Pg: 110 Ln: 1
	Pg: 102 Ln: 20 - Pg: 104 Ln: 12	Pg: 110 Ln: 16 - Pg: 111 Ln: 11

Dkt. 347.¹ Even though VGT provided its designations to CHG in a chart format that includes a column CHG could use to identify its counter-designations (*see* Dkt. 342), CHG inexplicably did not use these charts. An excerpt of one of the charts VGT provided² to CHG is below:

Daniel Fulton August 1, 2018			
Plaintiff's Designations	Defendants' Objections	Plaintiff's Counter-Designations	Defendants' Objections to Counter-Designations
6:1 - 6:3			
6:23 - 7:1			
8:11 - 8:25			
12:2 - 13:22			
17:6 - 18:11			
18:19 - 19:1			
20:25 - 21:2			
21:4 - 21:11			
21:13 - 21:13			
22:21 - 23:2			

Rather than using these charts for its “counter” designations, CHG simply provided lengthy lists of designations without specifying the VGT designation to which each “counter” designation relates and without otherwise indicating the basis for introducing those counter-designations.

In contrast to CHG, VGT identified with specificity the CHG designations to which each of VGT’s counter-designations relate. Below is an example:

Don Kovach August 2, 2018	
Defendants' Designations	Plaintiff's Counter-Designations
6:24 - 7:8	
8:8 - 11:4	
29:21 - 33:18	28:18 - 29:10 33:19 - 33:23
33:24 - 34:21	33:19 - 33:23
35:13 - 41:4	41:5 - 42:17
42:18 - 44:15	28:18 - 29:4
45:3 - 46:14	41:5 - 42:17

¹ VGT has included here only the first 41 of CHG’s “counter” designations for Mr. Yarbrough’s transcript. The remaining 61 are included in Dkt. 347 (at 33-35).

² The chart contains a typo transposing “Plaintiff’s” and “Defendants” in two rightmost columns.

See generally Dkt. 346.

At the Parties' meeting on August 12, 2019 to discuss objections to the designations and counter-designations, CHG asserted that because any party may *designate* any portion of a transcript pursuant to **Federal Rule of Civil Procedure 32(a)**, CHG may equally *counter-designate* any portion of a transcript.

Applying this unlimited approach to the scope of its counter-designations, CHG has "counter" designated for some witnesses substantially more testimony than VGT originally designated and in doing so has gone beyond the scope of the original declarations. For example, in the case of Jon Yarbrough, VGT's designations amount to 37 minutes of testimony whereas CHG's "counter" designations add two hours of testimony.

As discussed below, this approach finds no support in the rules or the principles underlying the rules.

B. Analysis

Federal Rule of Civil Procedure 32(a)(6) provides: "If a party offers in evidence only part of a deposition, an adverse party may require the offeror to introduce other parts that in fairness should be considered with the part introduced, and any party may itself introduce any other parts."

This "rule of completeness" is intended "to prevent the misleading impression from taking a statement out of context, by placing the statement back in its context." **Fed. R. Evid. 106** Advisory Committee Notes; *see id.* ("[Federal Rule of Evidence 106] is an expression of the rule of completeness. . . . It is manifested as to depositions in Rule 32(a)([6]) of the Federal Rules of Civil Procedure, of which the proposed rule is substantially a restatement."); *Rogers v. Roth*, **477 F.2d 1154, 1159** (10th Cir. 1973) ("Rule 32(a) ([6]), Fed. R. Civ. P., requires the use of other portions when only part is used to present a fair picture.").

Rule 32(a)(6) does not, however, give a party *carte blanche* to counter-designate deposition testimony. Rather, “a court must admit only those other parts offered by the opposing party that ‘in fairness should be considered with the part introduced.’” *Betker v. City of Milwaukee*, 22 F. Supp. 3d 915, 927 (E.D. Wis. 2014); *Great Am. Ins. Co. v. Moye*, No. 8:10-CV-00330, 2010 WL 2889665, at *2 (M.D. Fla., July 19, 2010) (“The rules do not allow filing of the remainder of a document solely because an opponent so demands; the ‘in fairness’ requirement limits opposing parties opportunity to do so.”); *accord Gracia v. Lee*, 976 F.2d 1344, 1345 (10th Cir. 1992) (“admission of the discovery deposition excerpts was not legally mandated by Rule 32(a)”).

Proper counter-designations may therefore “introduce enough of the deposition to put the originally admitted statement into context,” *Trepel v. Roadway Exp., Inc.*, 194 F.3d 708, 719 (6th Cir. 1999), but may not introduce “portions of a statement that are neither explanatory nor relevant to the admitted passages,” *United States v. Kopp*, 562 F.3d 141, 144 (2d Cir. 2009) (internal punctuation omitted); *United States v. Walker*, 652 F.2d 708, 710 (7th Cir. 1981) (“The rule of completeness has two limitations. First, the portions to be admitted must be relevant to the issues. Secondly, only those parts that qualify or explain the subject matter of the portion offered by the opponent must be admitted.”).

Here, because CHG has declined to indicate how any of its counter-designations relate to VGT’s designations, it has deprived VGT—and the Court—of a basis to evaluate whether those counter-designations ought to be, “in fairness,” considered to provide context for VGT’s designations. *See Fed. R. Civ. P. 32(a)(6); Fed. R. Evid. 106*. Rather than allow VGT the opportunity to evaluate CHG’s counter-designations on the merits, CHG has instead imposed on VGT the burden of first sifting through more than 780 designations spread across 24 depositions,

see Dkt. 347, then speculating as to which of VGT’s designations they might correspond, and only then to determine whether CHG’s counter-designations properly relate to and explain VGT’s designations. But these burdens do not fall on VGT: “The proponent of the deposition bears the burden of proving that it is admissible under Rule 32(a).” *Garcia-Martinez v. City & Cnty. Of Denver*, 392 F.3d 1187, 1191 (10th Cir. 2004).

It is no answer for CHG to claim—vaguely—that each counter-designation is necessary for “completeness.” The purpose of the rule of completeness “is not to insist on completeness as an end in itself, but to allow others to insist on admitting enough to put a statement in context.” *Anchor Sav. Bank, FSB v. United States*, No. 95-39 C, 2005 WL 6112617, at *7 (Fed. Cl. May 17, 2005) (quoting Christopher B. Mueller & Laird C. Kirkpatrick, Evidence, § 1.17 at 61). Moreover, CHG cannot credibly claim “completeness” as a justification for its “counter” designations of witnesses such as Mr. Yarbrough, for whom CHG has “counter” designated nearly four times the volume of testimony that VGT originally designated.

Instead, because CHG has provided no reason for the Court to conclude that its counter-designations should be considered with VGT’s designations, the appropriate remedy is exclusion. *See Betker v. City of Milwaukee*, 22 F. Supp. 3d 915, 927 (E.D. Wis. 2014); *accord Gracia v. Lee*, 976 F.2d 1344, 1345 (10th Cir. 1992) (“admission of the discovery deposition excerpts was not legally mandated by Rule 32(a)”).

Accordingly, VGT respectfully requests that the Court strike CHG’s counter-designations in their entirety and not permit CHG to introduce such testimony at trial under **Federal Rule of Civil Procedure 32(a)(6)**.

II. Designation of Testimony on Excluded Topics

A. Background

On July 22, 2019, the Court granted in part VGT’s motion for partial summary judgment with respect to CHG’s affirmative defenses of unclean hands and illegality and to certain of VGT’s trade secret claims (the “Summary Judgment Order”). **Dkt. 344.**

The Summary Judgment Order granted VGT summary judgment with respect to CHG’s affirmative defense of illegality and its unclean hands defense to the extent that it is premised on VGT’s purported non-compliance with the NIGC’s minimum technical standards. **Dkt. 344 at 7,** **12.** Recognizing that this issue is no longer in the case, the Parties have withdrawn their corresponding designations and counter-designations on that issue.

The Parties disagree, however, on the extent to which the Summary Judgment Order precludes evidence of VGT’s purported competitive research or [REDACTED] Although the Summary Judgment Order does not exclude from the case CHG’s theory “that VGT misappropriated its trade dress from industry competitors,” **Dkt. 344 at 8,**³ the Court held that such a theory may not be based on “generalized market or competitive research,” *id.* at 9. Rather, it must be tied to the VGT trade dress at issue. *Id.* at 8–9. The Summary Judgment Order specified two relevant aspects of VGT’s trade dress: (1) “specific bingo patterns” and (2) “bingo pattern-payout combinations utilized in each pseudo-paytable.” *Id.*

CHG, however, has designated and counter-designated deposition testimony having no bearing on VGT’s trade dress. Instead, CHG seeks to admit precisely the kind of “generalized market or competitive research” disapproved by the Court. **Dkt. 344 at 9.** Further, most, if not

³ The Summary Judgment Order rejected this defense as to VGT’s trademark and trade secret claims. **Dkt. 344 at 9–10.**

all, of the evidence CHG cites pertains to recent activities, in many cases years *after* VGT developed its trade dress. The following examples are illustrative of CHG's designated testimony with no further bearing on the case:

- Zachary Schmid Deposition at 91–92:



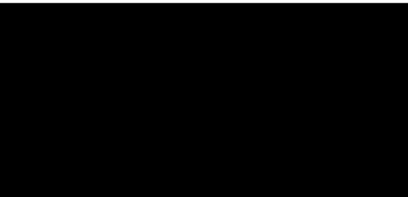
- Will Harvie Deposition at 33:



- Will Harvie Deposition at 102:

- David Marsh Deposition at 143–144:

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21
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23
24
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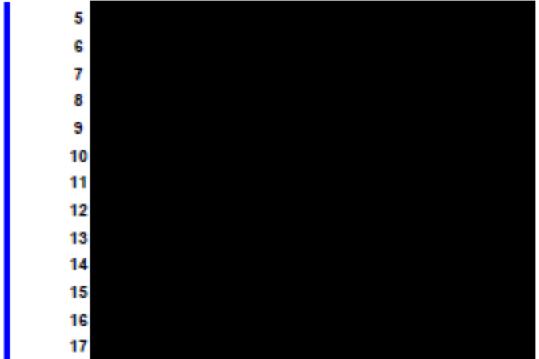
A large black rectangular redaction box covers the majority of the page below the list item, starting just below the number 25 and extending to the bottom of the page.

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A large black rectangular redaction box covers the majority of the page below the list item, starting just below the number 15 and extending to the bottom of the page.

- James Starr Deposition at 93–97:

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13
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16
17



B. Analysis

To be admissible at trial, evidence must be both relevant and sufficiently probative to outweigh the danger of unfair prejudice or confusing the issues. *See Fed. R. Evid 401–403.*

Evidence of claims or defenses resolved at summary judgment is irrelevant. *See Van v.*

Language Line Servs., Inc., No. 14-CV-03791-LHK, 2016 WL 3566980, at *5 (N.D. Cal. June 30, 2016); *see also, e.g., Raborn v. Johnston*, No. 16-CV-0653-CVE-JFJ, 2017 WL 4681792, at *3 (N.D. Okla. Oct. 17, 2017); *Bennion & Deville Fine Homes Inc. v. Windermere Real Estate Servs. Co.*, No. ED CV 15-01921-DFM, 2018 WL 4810743, at *3 (C.D. Cal. June 21, 2018); *Lion Oil Co. v. Nat'l Union Fire Ins. Co. of Pittsburgh, PA*, No. 1:13-CV-01071, 2015 WL 11112547, at *1 (W.D. Ark. Oct. 21, 2015).

The market research testimony that CHG has designated is irrelevant and inadmissible. As seen from the excerpts cited above, this testimony concerns the type of “generalized market or competitive research” or [REDACTED] that the Court held not to constitute unclean hands. Dkt. 344 at 9. As explained in the Summary Judgment Order, there is “no authority for the proposition that generalized market research or competitive research amounts to ‘unclean hands.’” *Id.*

CHG cannot establish that the testimony at issue relates to the development of the VGT trade dress at issue in this case. Much of the testimony discusses activities from recent years,

long after the VGT trade dress was introduced to the market. *See, e.g.*, Harvie Deposition at 100-103 (2016), 137-140 (2017), Starr Deposition at 228 (2016-2017). Nor does this testimony pertain to “competitive research *against Castle Hill.*” *Id.* As this Court has held, “[i]nequitable conduct toward third parties does not justify submission of an unclean hands defense to the trier of fact.” *Id.* Accordingly, CHG’s attempt to present evidence of “generalized market research or competitive research,” **Dkt. 344 at 9**, should be disallowed.⁴

August 15, 2019

Respectfully submitted,

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⁴ VGT specifically requests exclusion of at least the following designations: Will Harvie at 29:24-34:14, 100:23-103:3, 103:9-103:15, 137:15-140:11, 141:19-142:17, 151:4-153:8, 184:7-186:24; David Marsh at 143:19-144:15; Zachary Schmid at 91:20-92:23, 94:18-95:17; Jay Sevigny at 53:9-54:14, 176:11-177:22; James Starr at 93:19-97:17, 100:13-101:24, 175:2-177:19, 178:6-178:14, 195:15-199:24, 201:7-203:4, 203:15-203:19, 204:1-204:24, 208:8-208:18, 208:23-211:10, 228:1-229:6, 231:6-232:14, 271:5-271:9, 271:13-271:18; Jon Yarbrough at 79:3-80:9, 156:18-157:6.

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Appendix A

**PLAINTIFF'S OBJECTIONS TO DEFENDANTS' DEPOSITION
DESIGNATIONS AND COUNTER-DESIGNATIONS**

Plaintiff hereby objects to Defendants' designations and counter-designations of deposition testimony. Plaintiff reserves the right to add to and amend these objections, including but not limited to raising additional objections as appropriate, responding to any unusual objections, removing objections, modifying objections based on explanations offered by Defendants, and making changes based on Court rulings, or as other issues arise.

As explained in greater detail in its Brief on Unusual Objections, VGT objects to all of CHG's counter-designations for failure to comply with **Federal Rule of Civil Procedure 32(a)(6)** and Federal Rule of Evidence 106. CHG may only counter-designate those portions of depositions "that in fairness should be considered with the part introduced" by VGT. *See Fed. R. Civ. P. 32(a)(6); Fed. R. Evid. 106.* Because CHG has made no attempt to identify to which parts of VGT's designations its "counter-designations" relate, VGT is unable to evaluate whether those "counter-designations" are relevant and non-prejudicial, provide appropriate context for the particular issues raised by VGT's designations, and "in fairness should be considered." Accordingly, VGT believes that all of CHG's counter-designations should be stricken.

VGT uses the following abbreviations for objections to deposition designations:

Code	Objection
A	Argumentative
B	Violates Best Evidence Rule (FRE 1002-1004)
C	Compound
D	Duplicative/Cumulative
EX	Topic excluded by Court Order (<i>e.g.</i> , Dkts. 344, 345)

F	Lacks Foundation/Lacks Personal Knowledge/Calls for Speculation (FRE 602)
H	Hearsay/Improper Use of Deposition (FRE 801-802; FRCP 32)
I	Improper/Incomplete Designation (FRE 106; FRCP 32(a)(6))
IC	Improper Counter-Designation (FRE 106; FRCP 32(a)(6))
IH	Incomplete Hypothetical
IO	Calls for Improper Lay or Expert Opinion (FRE 701-703)
L	Leading
LC	Calls for Improper Legal Conclusion (FRE 403)
M	Misleading/Mischaracterizes Prior Testimony
MD	Mischaracterizes Underlying Document (FRE 401-403)
NE	Assumes Facts Not in Evidence (FRE 103)
NR	Nonresponsive
P	Prejudice/Confusion/Delay/Waste of Time (FRE 403)
R	Relevance (FRE 401/402)
SC	Beyond the Scope of the Witness's Testimony as a Corporate Representative
V	Vague/Ambiguous/Overbroad

PLAINTIFF'S OBJECTIONS TO DEFENDANTS' DEPOSITION DESIGNATIONS

Sarah Carlson June 21, 2018	
Defendants' Designations	Plaintiff's Objections
7:12 - 8:7	
19:17 - 20:16	
21:10 - 25:24	
35:18 - 35:20	
36:14 - 36:16	
38:25 - 39:2	
40:7 - 45:10	
45:15 - 46:20	
47:8 - 48:22	
48:24 - 50:20	
54:1 - 54:11	
54:24 - 55:19	
56:20 - 57:3	
58:14 - 59:6	
59:8 - 60:20	
61:3 - 61:10	
61:12 - 61:14	
61:16 - 62:22	
63:3 - 64:17	
65:7 - 66:22	
66:24 - 67:4	
68:10 - 74:11	
75:6 - 76:13	
76:16 - 76:24	
77:3 - 77:12	
77:21 - 79:2	
79:6 - 79:7	
79:9 - 79:23	
80:1 - 80:9	
80:11 - 80:14	
80:16 - 81:8	
84:3 - 84:9	
84:11 - 84:20	
84:25 - 90:20	
90:23 - 91:14	
91:17 - 92:6	
92:8 - 93:1	
93:4 - 93:13	
93:20 - 93:22	
93:24 - 94:10	

94:12 - 95:3	
95:6 - 96:17	
96:19 - 98:25	
99:2 - 100:16	
104:4 - 104:6	
104:15 - 105:8	
106:16 - 106:21	
107:14 - 108:4	
108:6 - 108:12	
108:14 - 108:17	
108:19 - 109:24	
110:15 - 110:22	
111:15 - 111:25	
112:1 - 112:15	
112:18 - 113:22	
115:10 - 116:22	
118:4 - 118:19	
119:22 - 121:17	
121:22 - 122:10	
124:4 - 124:15	
125:15 - 125:18	
126:18 - 127:1	
129:9 - 129:16	
131:22 - 132:10	
132:13 - 132:13	
140:5 - 140:17	
140:22 - 141:20	
144:3 - 144:11	
145:10 - 145:20	
145:22 - 146:3	
147:16 - 147:19	
162:22 - 164:20	
177:8 - 177:12	
178:7 - 178:23	
185:16 - 186:2	
192:10 - 192:16	
200:20 - 201:6	R; P; A; V
202:10 - 203:8	
203:17 - 204:1	
Joshua Davis	
August 3, 2018	
Defendants' Designations	Plaintiff's Objections
No objections	

Craig Eubanks April 25, 2018	
Defendants' Designations	Plaintiff's Objections
5:2 - 5:6	H
15:5 - 15:17	H
19:18 - 20:11	H
23:12 - 29:1	H
29:12 - 29:19	H
29:21 - 30:2	H
33:4 - 33:21	H
34:23 - 35:16	H
43:17 - 46:4	H
46:9-50:13	H
50:20 - 51:1	H
51:5 - 52:8	H
52:13 - 52:18	H
53:6 - 53:20	H
54:4 - 54:17	H
55:4 - 55:15	H
56:18 - 57:13	H
57:17 - 60:1	H
60:11 - 62:14	H
64:2-24	H
65:9 - 65:16	H
65:20 - 65:21	P; R ; H
66:2 - 71:21	P; R; H
71:25-72:17	P; R; H
73:6 - 79:4	P; R; H
81:25 - 82:9	P; R; H
82:16 - 82:21	P; R; H
84:4 - 84:6	P; R; H
84:19 - 86:11	P; R; H
86:20 - 86:23	P; R; H
87:5-88:10	P; R; H
88:17 - 89:6	H
89:12 - 89:19	H
89:22-90:5	H
90:18-23	H
91:14 - 92:24	H
93:20 - 94:1	P; R; H
94:3 - 100:12	H
101:22 - 107:11	F; P; R; H
108:16 - 111:21	H
144:25 - 145:13	H

Larry Graham May 15, 2018	
Defendants' Designations	Plaintiff's Objections
5:11 - 5:15	
10:7 - 13:19	
17:25 - 18:12	
23:8 - 23:19	
25:14 - 26:10	
26:20 - 28:22	
41:23 - 42:10	
42:14 - 51:14	
53:9 - 56:4	
60:15 - 62:24	
63:18 - 64:19	
67:13 - 69:9	
73:21 - 73:23	
77:4 - 77:20	
78:10 - 79:25	
83:9 - 87:16	
90:23 - 91:18	
101:25 - 103:21	
114:9 - 114:23	
117:24 - 123:9	
123:19 - 127:24	
129:17 - 130:6	
132:5 - 133:18	
134:10 - 138:13	
143:25 - 145:19	
146:16 - 147:6	
159:25 - 162:19	
170:8 - 172:12	
173:4 - 176:6	
178:14 - 178:19	
187:23 - 189:14	
198:24 - 200:4	
202:18 - 203:7	
203:18 - 205:11	
206:6 - 207:15	
211:7 - 211:16	
216:24 - 219:2	
219:15 - 220:12	
222:10 - 223:6	

Will Harvie June 14, 2018	
Defendants' Designations	Plaintiff's Objections
6:24 - 7:1	
11:18 - 12:16	
13:10 - 13:12	
15:10 - 15:21	
18:11 - 18:16	
20:10 - 22:15	
24:13 - 26:17	
29:24 - 34:9	V; F; M; P; R; EX
34:14 - 49:15	P; R; EX
52:5 - 54:11	
55:3 - 58:17	LC; V; P; R; EX
58:24 - 71:10	LC; V; F; H; P; R; EX
73:16 - 74:12	F; B
77:7 - 78:4	V
83:18 - 88:18	F; LC; H; P; R; EX
90:4 - 90:15	P; R; EX
94:23 - 99:14	F; MD; LC; P; R; EX
100:23 - 103:3	M; P; R; EX
103:9 - 103:15	P; R; EX
118:3 - 118:23	
131:5 - 131:14	
131:20 - 132:12	V; M
137:15 - 140:11	P; R; EX
141:19 - 142:17	P; R; EX
145:8 - 146:9	
151:4 - 153:8	P; R; EX
155:17 - 162:7	C; M; F
162:10 - 162:17	LC
163:2 - 165:8	
166:5 - 168:22	V
170:7 - 170:17	
176:12 - 176:18	
180:22 - 181:7	
183:2 - 183:19	P; R; EX
184:7 - 186:24	M; V; P; R; EX
187:9 - 187:18	P; R; EX
Don Kovach August 2, 2018	
Defendants' Designations	Plaintiff's Objections
6:24 - 7:8	
8:8 - 11:4	
29:21 - 33:18	V; F; LC; SC

33:24 - 34:21	SC
35:13 - 41:4	V; SC
42:18 - 44:15	
45:3 - 46:14	
David Marsh May 2, 2018	
Defendants' Designations	Plaintiff's Objections
8:2 - 8:19	
11:5 - 13:17	
13:21 - 13:24	
14:1 - 14:7	
17:15 - 18:5	
23:15 - 23:23	
24:16 - 25:6	
28:12 - 29:3	
30:13 - 30:19	
31:10 - 32:21	
39:10 - 40:24	
41:6 - 41:23	
43:18 - 45:5	
45:23 - 46:23	
47:6 - 48:19	
49:2 - 50:11	
50:19 - 51:12	
54:10 - 54:21	
66:4 - 66:10	
66:16 - 66:23	
67:14 - 68:4	
69:19 - 70:2	
71:1 - 72:8	
76:16 - 77:15	
78:18 - 79:7	
79:18 - 80:9	
82:10 - 82:15	
83:10 - 83:19	
87:19 - 91:5	
92:16 - 92:23	
93:20 - 95:23	
96:3 - 96:22	
103:11 - 104:6	
104:23 - 105:16	
106:13 - 107:6	
113:2 - 113:7	
114:4 - 114:7	
115:13 - 116:2	

120:13 - 121:18	
123:15 - 125:22	
127:2 - 128:8	
129:7 - 130:16	
134:16 - 135:15	
143:19 - 144:15	EX; R; P; IO; A; V
148:12 - 149:1	
152:19 - 153:16	
155:8 - 155:12	
165:10 - 166:10	
166:21 - 166:25	
167:14 - 167:21	
171:25 - 172:12	
179:1 - 179:9	
183:4 - 183:9	
183:19 - 183:21	
185:1 - 186:23	
187:9 - 187:18	
193:14 - 193:22	
205:15 - 206:21	
207:1 - 208:9	
217:21 - 218:5	
219:15 - 220:18	
227:18 - 228:18	
260:21 - 261:4	
266:2 - 266:10	
Butch McGill May 10, 2018	
Defendants' Designations	Plaintiff's Objections
5:20 - 6:13	
17:1 - 18:11	
19:18 - 26:20	
27:13 - 28:7	
30:25 - 32:12	
34:24 - 39:1	
39:9 - 45:21	EX; R; P; IO; A; V
46:20 - 50:21	
51:7 - 56:18	R; P; IO; A; V
56:25 - 68:17	R; P; IO; A; V
68:22 - 69:23	
71:2 - 73:14	
73:20 - 74:1	
74:2 - 88:24	R; P; IO; A; V
89:10 - 96:8	R; P; IO; A; V
98:2 - 101:18	R; P; IO; A; V

102:7 - 103:8	
103:21 - 108:3	R; P; IO; A; V
109:1 - 109:9	
112:17 - 115:7	R; P; IO; A; V
118:15 - 121:3	R; P; IO; A; V
124:17 - 125:4	
125:12 - 125:18	
126:4 - 126:6	
Ryan North April 26, 2018	
Defendants' Designations	Plaintiff's Objections
8:2 - 8:6	
8:16 - 8:24	
18:25 - 19:6	
20:21 - 24:16	
27:20 - 37:18	
38:4 - 38:10	
41:21 - 43:3	
43:16 - 46:23	
47:7 - 48:4	
49:6 - 49:13	
50:24 - 52:17	
52:19 - 53:15	
53:19 - 56:11	
57:7 - 57:14	
57:22 - 60:5	
61:2 - 64:20	MD; C
65:17 - 65:23	LC
66:10 - 69:4	
69:23 - 70:3	
70:16 - 71:13	
75:13 - 76:8	
83:2 - 83:18	
84:3 - 86:2	
93:14 - 94:4	
95:18 - 96:4	
96:22 - 98:9	
98:19 - 99:10	
99:17 - 100:4	
102:1 - 102:14	
111:6 - 113:9	
113:25 - 114:1	
114:8 - 114:11	
114:25 - 119:17	
120:18 - 121:11	

121:18 - 122:7	
123:13 - 124:2	
124:16 - 125:6	
135:21 - 136:9	
137:4 - 137:19	
138:6 - 139:6	
140:25 - 141:13	
142:6 - 142:14	
143:22 - 144:23	
145:16 - 146:14	
146:24 - 150:7	F
150:12 - 151:1	
151:16 - 151:24	
153:8 - 154:6	
155:8 - 160:15	NE; M
161:9 - 162:1	
163:23 - 165:3	
165:9 - 165:20	
166:10 - 168:4	
168:8 - 168:13	
168:18 - 169:14	
171:4 - 171:21	NE; V
174:5 - 174:8	
174:12 - 175:19	
176:4 - 176:17	
176:22 - 177:10	
177:15 - 178:23	NE
179:2 - 180:14	
182:2 - 182:14	
184:4 - 187:6	
188:24 - 189:16	
190:11 - 190:24	
192:2 - 193:21	M
194:15 - 196:9	
197:5 - 198:1	
198:15 - 200:12	
201:14 - 202:2	
204:24 - 205:17	
Karl Roelofs June 14, 2018	
Defendants' Designations	Plaintiff's Objections
No objections	

Zachary Schmid June 20, 2018	
Defendants' Designations	Plaintiff's Objections
6:6 - 11	
9:10 - 23	
10:1 - 11:1	
11:16 - 16:1	
19:2 - 10	
19:20 - 22:2	
24:15 - 24	
26:3 - 33:5	R
35:2 - 48:1	R
49:18 - 53:8	
53:16 - 54:1	
57:17 - 59:7	
63:7 - 69:14	
70:2 - 72:1	
74:1 - 77:7	
78:4 - 16	
79:18 - 84:1	
84:5 - 85:17	
85:21 - 88:1	
89:4 - 90:11	
91:20 - 92:23	EX; P; R
94:18 - 95:17	EX; P; R
Jay Sevigny July 12, 2018	
Defendants' Designations	Plaintiff's Objections
7:1 - 7:11	
11:9 - 12:3	
16:8 - 17:10	
17:25 - 19:9	
20:13 - 20:18	
21:9 - 27:15	H
34:12 - 44:8	R; P
44:13 - 44:22	
45:1 - 46:19	
47:2 - 47:21	H; F
48:25 - 50:16	
51:5 - 52:7	
53:9 - 54:14	R; P; EX
54:23 - 55:16	
56:1 - 59:24	
60:20 - 61:9	
62:1 - 62:13	

63:5 - 64:20	
65:1 - 65:15	
65:19 - 65:24	
66:9 - 67:20	
67:22 - 68:2	
68:3 - 69:22	F
70:24 - 72:3	
72:13 - 72:15	
74:21 - 75:14	
75:25 - 76:24	
77:1 - 89:20	V
94:10 - 98:18	
100:3 - 100:23	
101:9 - 102:21	
102:23 - 103:22	
105:14 - 109:1	
109:11 - 112:25	
118:18 - 121:17	
121:21 - 122:13	
122:17 - 131:25	
132:2 - 132:24	
133:21 - 134:8	
135:15 - 137:13	
139:17 - 153:9	F
154:12 - 157:16	
157:24 - 159:9	
160:6 - 160:16	
161:6 - 161:21	H; F; NE
162:11 - 165:1	MD; F
167:18 - 175:10	F; H; R; P; EX
176:11 - 177:22	MD; R; P; EX
180:8 - 182:23	F; IO
183:10 - 189:22	F; NE; M; MD; IO
190:16 - 190:20	R; P; EX
191:7 - 192:19	NE; R; P; EX
196:21 - 203:20	M; MD; F; LC; IO
203:22 - 204:13	
205:5 - 207:11	SC; LC; R; P
209:16 - 213:11	NE; MD; M; SC; F
214:18 - 224:3	F; SC; NE; M; R; P
224:25 - 232:4	SC; F; LC; R; P
232:22 - 234:17	M; SC; I; F
235:19 - 237:6	SC; F
237:19 - 239:2	SC; H; F
242:7 - 242:20	

243:22 - 244:13	
251:6 - 251:10	
Barry Smitherman May 11, 2018	
Defendants' Designations Plaintiff's Objections	
5:18 - 6:9	
13:3 - 14:25	
22:18 - 23:8	R
25:11 - 25:23	
34:17 - 35:18	
48:8 - 49:11	
James Starr May 23, 2018	
Defendants' Designations Plaintiff's Objections	
11:1 - 11:14	
26:17 - 27:17	V; F; IO
28:12 - 30:2	V; F; IO
30:22 - 36:23	LC; V; F; IO; M
38:8 - 38:19	
40:7 - 43:20	V; F; IO; M
44:12 - 45:7	
46:16 - 47:22	
49:25 - 50:10	
52:8 - 53:24	V
55:11 - 56:6	P; V; F; IO; M
56:14 - 61:22	IO; EX; M; F
64:23 - 65:22	IO; F
69:7 - 75:6	R; P; F
75:15 - 78:1	R; P; F
78:20 - 79:6	R; P
79:12 - 80:3	R; P
80:7 - 87:20	R; P; F; M
89:4 - 89:14	R; P; F
90:24 - 91:19	
92:7 - 93:4	
93:19 - 97:17	EX; V; F; R; P
98:21 - 99:8	
100:13 - 101:24	EX; R; P
102:8 - 102:19	
105:20 - 106:21	IO; R; P; V
107:2 - 107:16	
108:8 - 108:16	EX; LC; P; R; F
109:17 - 110:2	EX; LC; R; P; F
110:15 - 111:17	EX; LC; R; P
114:7 - 118:4	R; P

127:9 - 130:16	
130:25 - 134:12	R; P; M
135:2 - 135:8	
139:5 - 140:17	
141:8 - 141:23	
143:13 - 144:23	R; P
145:2 - 145:20	
148:10 - 148:20	R; P; F
151:9 - 151:13	
153:4 - 155:8	R; P; F
155:20 - 155:23	
156:14 - 157:2	IO; LC; R; P; F
157:25 - 159:19	IO; LC; R; P; F
159:25 - 161:23	P; R; F
163:6 - 163:17	P; R; F
165:7 - 166:1	
166:10 - 174:21	EX; IO; R; P; F
175:2 - 177:19	EX; IO; R; P; F
178:6 - 178:14	EX; V; R; P
180:2 - 183:15	R; F; P
183:22 - 187:23	P; V; F
188:10 - 188:18	P; V; F
192:9 - 199:24	EX; LC; P; R; F
201:7 - 203:4	EX; P; R
203:15 - 203:19	EX; P; R
204:1 - 204:24	EX; P; R
205:9 - 208:18	EX; P; R
208:23 - 211:10	EX; P; R; F
211:18 - 211:25	
212:12 - 218:23	EX; P; R
219:10 - 221:3	
221:20 - 224:3	M; F; P
228:1 - 229:6	EX; P; R
231:6 - 232:14	EX; P; R; F
232:23 - 233:14	EX; P; R; F
233:24 - 239:10	EX; P; R
239:18 - 240:16	
241:11 - 243:7	EX; P; R
243:17 - 244:2	
245:23 - 246:24	
247:4 - 248:13	P; R; F
253:15 - 253:25	
254:11 - 256:11	P; F
257:21 - 258:3	
262:4 - 262:17	

264:15 - 266:25	LC; P; R
267:21 - 267:21	
271:5 - 271:9	EX; P; R; F
271:13 - 271:18	EX; P; R; F
274:8 - 274:12	
274:14 - 276:15	P; R; F; LC
277:13 - 278:24	F; P
John Taylor May 30, 2018	
Defendants' Designations	Plaintiff's Objections
9:1 - 9:2	
9:8 - 9:13	
9:21 - 10:3	
10:7 - 10:9	
22:2 - 31:12	
33:14 - 36:14	H; F
37:11 - 38:4	
39:2 - 42:23	H; F
48:25 - 50:18	
53:22 - 55:25	
57:22 - 58:2	
59:1 - 63:13	
63:17 - 64:7	
64:25 - 65:2	
65:6 - 69:21	H
72:17 - 74:13	F
79:4 - 80:20	
81:6 - 81:20	
83:16 - 86:20	H; F
87:18 - 88:3	H; F
92:1 - 94:4	
99:24 - 101:16	F; B
106:13 - 108:2	H
115:13 - 118:6	
121:4 - 124:16	F
124:25 - 127:18	F
128:23 - 135:16	F
136:6 - 139:20	F
140:20 - 145:7	F; NR
145:17 - 151:2	F; H
167:23 - 171:9	
172:1 - 173:21	F
181:16 - 181:19	
188:17 - 189:17	
197:7 - 199:4	F

199:14 - 200:2	F
204:16 - 205:1	
205:13 - 206:23	F
207:4 - 208:10	F
208:22 - 210:3	
214:2 - 214:22	
215:2 - 215:12	
215:16 - 218:13	H
219:16 - 219:21	
222:1 - 223:4	
229:10 - 230:4	
234:22 - 236:16	F
236:20 - 237:15	IO
241:5 - 243:3	F
249:13 - 249:23	
255:11 - 255:21	
256:4 - 256:15	
259:6 - 259:12	
259:22 - 260:21	F
261:7 - 262:19	F

Zachary Trover
April 18, 2018

Defendants' Designations	Plaintiff's Objections
8:7 - 8:12	
12:8 - 22:25	
23:10 - 34:8	
35:3 - 35:16	
38:3 - 38:11	
38:18 - 40:10	
42:12 - 48:10	
51:15 - 56:17	
57:8 - 65:6	H
65:21 - 70:11	IO; P; R
71:23 - 72:23	
73:6 - 73:24	
74:24 - 75:21	
75:25 - 76:22	
77:13 - 84:21	
85:1 - 85:13	
89:23 - 90:9	
100:21 - 101:11	F; R; P
101:25 - 106:5	
106:9 - 109:12	F; IO
114:1 - 116:11	
118:9 - 122:3	

122:13 - 126:9	
127:21 - 132:1	
132:24 - 134:12	
134:22 - 135:14	
136:6 - 138:14	
138:21 - 139:9	
Richard Williamson June 14, 2018	
Defendants' Designations	Plaintiff's Objections
No objections	
Richard Williamson October 2, 2018	
Defendants' Designations	Plaintiff's Objections
No objections	
Jon Yarbrough July 11, 2018	
Defendants' Designations	Plaintiff's Objections
6:15 - 19	
7:8 - 24	
15:15 - 19:2	
23:24 - 24:1	
31:17 - 23	
32:7 - 42:12	
45:9 - 20	
60:19 - 86:9	R; P; V; M; EX
86:23 - 88:1	
93:8 - 94:6	
94:20 - 21	
96:12 - 97:23	
102:10 - 110:1	R; P; V; F
110:8 - 111:11	R; P; V; F
116:25 - 118:5	
118:17 - 119:12	
119:19 - 132:25	R; P; V
135:23 - 139:3	
142:21 - 23	
143:6 - 144:4	V; R
145:9 - 16	
151:19 - 157:6	V; EX
163:2 - 164:7	EX; F
165:5 - 14	
167:15 - 168:2	
176:3 - 177:16	
178:2 - 9	
180:4 - 183:6	V

183:14 - 184:12	
184:21 - 186:13	
186:24 - 191:13	
192:4 - 195:25	
196:6 - 197:5	
206:6 - 208:18	V; P

PLAINTIFF'S OBJECTIONS TO DEFENDANTS' DEPOSITION
COUNTER-DESIGNATIONS

James Berger September 26, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
5:23 - 5:25	
9:25 - 10:19	
15:2 - 15:3	
17:4 - 17:17	
23:3 - 23:3	
24:5 - 25:9	I
83:15 - 84:8	
97:18 - 97:18	
100:13 - 100:18	
106:24 - 106:24	
107:12 - 107:15	P
108:18 - 108:24	P
109:10 - 109:13	P
128:4 - 128:4	
128:13 - 128:13	
129:3 - 129:3	
133:6 - 133:25	P
135:19 - 135:19	
146:24 - 147:21	
163:14 - 163:23	P
194:2 - 194:12	P
Brandon Booker¹ July 10, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
8:2 - 8:4	I
13:19 - 14:5	I; P; R
23:1 - 23:15	I; P; R
34:3 - 34:10	
52:24 - 53:11	NE
54:2 - 54:9	I

¹ During the course of exchanging designations, counter-designations, and objections for the deposition of Brandon Booker, the Parties learned that they had been using two different versions of Mr. Booker's deposition transcript, resulting in a one-page misalignment of VGT's designations, CHG's counter-designations, and the Parties' resulting objections. The counter-designations and objections herein use the numbering from CHG's version of the transcript. The Parties intend jointly to submit a revised transcript to reflect more accurately the Parties' intent.

55:19 - 55:20	I
56:2 - 56:13	P; R
56:14 - 56:17	P; R
57:6 - 58:3	I; P; R
75:25 - 76:1	I
79:12 - 79:22	P; R
79:23 - 79:25	I; P; R
81:5 - 81:6	I
83:12 - 84:1	I
85:12 - 85:21	I; P; R
87:20 - 89:16	F; I; P; R
90:18 - 90:25	I; R; P
91:4 - 91:14	I; R; P
91:15 - 91:24	I; R; P
91:25 - 92:6	I; R; P
117:20 - 117:21	I
119:22 - 120:5	I
120:15 - 120:15	I
121:9 - 121:15	I
121:20 - 121:23	I
122:19 - 122:24	I
129:8 - 129:24	I
130:15 - 130:15	I
133:17 - 134:5	I; F; P; R
163:2 - 163:9	I; F
163:10 - 163:19	I
166:8 - 166:11	I
170:14 - 170:22	I
184:23 - 185:1	I
194:13 - 194:13	I
198:25 - 199:4	P; R
204:3 - 204:5	I
205:3 - 205:6	I
205:3 - 208:25	
206:18 - 206:25	
208:22 - 208:25	
213:9 - 213:20	F; P
241:17 - 241:20	I
267:8 - 267:9	I
268:2 - 268:8	I; LC
Sarah Carlson June 21, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
No objections	

Daniel Fulton May 31, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
8:6 - 8:19	
14:14 - 15:5	P
16:6 - 16:16	
19:2 - 19:22	P
35:9 - 35:22	
37:7 - 39:7	P
40:12 - 41:16	
42:15 - 43:16	
44:25 - 45:14	
54:2 - 54:20	
67:11 - 67:24	P
79:5 - 79:19	P; V
97:13 - 99:5	P
99:6 - 99:15	P
105:8 - 105:20	P
120:6 - 121:3	
125:11 - 126:7	
132:13 - 132:18	V
134:20 - 135:4	
136:25 - 137:19	
138:6 - 138:17	
139:19 - 140:14	
144:25 - 145:16	P
150:18 - 151:17	P
169:9 - 170:4	P
170:24 - 171:7	P
178:8 - 178:21	
214:4 - 214:15	P
216:10 - 216:17	P
217:17 - 217:22	P
220:5 - 220:12	
230:19 - 231:10	P
268:2 - 268:8	
271:10 - 272:9	
275:14 - 276:9	
Daniel Fulton August 1, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
7:2 - 7:9	
35:10 - 35:18	

36:1 - 36:10	
36:14 - 36:17	
42:21 - 43:5	
49:13 - 49:20	
49:21 - 50:11	
50:14 - 50:20	
51:10 - 51:19	
51:21 - 51:24	
52:2 - 52:10	
52:12 - 52:13	
52:15 - 52:15	
52:17 - 52:22	
52:24 - 53:8	
54:9 - 54:11	P
54:14 - 54:15	P
54:17 - 54:17	P
55:5 - 55:8	P; R; V
55:10 - 55:11	P; R; V
56:25 - 57:20	P; R; V
57:22 - 58:2	P
58:5 - 58:7	P
58:12 - 58:22	P
59:2 - 59:13	P
60:2 - 60:4	P
60:9 - 60:13	P

Joshua Larson
April 24, 2018

Defendants' Counter-Designations	Plaintiff's Objections
17:11 - 17:12	
18:7 - 18:13	P
18:14 - 19:7	P
55:6 - 55:7	
65:4 - 65:22	P
66:3 - 66:22	P
67:18 - 67:25	P
68:2 - 68:11	P
89:4 - 89:9	P
89:17 - 89:20	P
102:9 - 103:6	P; F; IO
103:16 - 103:24	P
105:19 - 105:19	IC
105:21 - 106:2	F; IO
113:14 - 114:9	P
118:22 - 118:24	

172:5 - 172:12	P
189:17 - 189:20	F
189:24 - 190:5	F
218:12 - 218:13	IC
233:3 - 233:10	P
240:19 - 240:20	IC
242:5 - 242:9	F; P
242:15 - 242:18	H; F; P
243:2 - 243:4	
248:3 - 248:15	P
250:18 - 250:23	P; IO
259:24 - 260:6	F
261:8 - 261:17	IO
262:2 - 262:16	
271:2 - 271:8	F
271:16 - 272:16	P; NR
281:11 - 281:13	IC
282:13 - 282:18	

Aaron Milligan
February 9, 2018

Defendants' Counter-Designations	Plaintiff's Objections
27:15 - 27:19	
27:25 - 28:16	
31:14 - 31:18	P
32:8 - 32:22	P
36:18 - 37:11	P
37:14 - 37:22	P
47:20 - 49:2	P; R
48:25 - 49:6	
66:12 - 68:16	
69:15 - 69:16	
70:11 - 70:18	
71:15 - 71:17	
71:25 - 72:6	
89:13 - 89:14	
90:5 - 90:14	P
91:10 - 93:11	
97:2 - 97:2	
148:23 - 148:25	
156:20 - 157:12	
162:22 - 163:7	
163:8 - 163:14	
163:22 - 163:25	
171:6 - 171:22	

175:6 - 175:16	P
185:19 - 186:10	
189:17 - 189:25	
192:21 - 193:1	
218:6 - 218:16	
243:18 - 244:14	P
245:9 - 245:13	P

Seth Morgan
July 13, 2018

Defendants' Counter-Designations	Plaintiff's Objections
19:25 - 20:1	
20:15 - 20:15	I
20:24 - 21:15	
28:2 - 28:9	
28:15 - 29:14	P; R
33:16 - 33:24	P; R; IO
37:1 - 39:21	M; P; R; IO
44:17 - 44:19	
45:1 - 45:9	
45:19 - 45:25	
51:3 - 52:9	
63:23 - 64:7	P
66:4 - 66:7	P; R
66:11 - 66:22	P; R
67:1 - 67:11	P; R
77:10 - 78:9	
84:14 - 85:17	P; R
90:21 - 91:6	
93:22 - 94:4	P; R
107:16 - 108:11	I
111:22 - 111:23	P
112:1 - 112:19	P
115:22 - 116:10	
120:3 - 121:21	
135:17 - 135:19	I; M
142:9 - 142:19	
143:18 - 144:3	M
171:8 - 171:13	
177:20 - 177:24	
186:8 - 186:10	
187:1 - 189:10	P; R
190:1 - 190:15	IO; P
192:19 - 192:24	
200:10 - 200:18	

203:1 - 203:2	
203:5 - 203:9	F
208:1 - 208:3	
Alan Roireau May 15, 2018	
Defendants' Counter-Designations Plaintiff's Objections	
15:5 - 15:15	
18:5 - 18:24	R; P
20:4 - 21:3	R; P
23:8 - 23:10	
25:8 - 25:19	R; P
29:2 - 29:6	P; F
30:25 - 32:20	R; P; F; H
33:4 - 33:24	R; P; F; H
43:3 - 43:20	R; P
43:24 - 44:15	R; P
45:11 - 45:20	
51:2 - 51:22	P; F
59:7 - 59:12	F
78:19 - 79:1	
79:5 - 80:1	
90:4 - 90:6	
92:10 - 92:12	
111:5 - 112:3	F; P
115:5 - 116:1	IO; P
117:3 - 117:14	I; IO; P
117:25 - 118:6	I; F; P
132:3 - 132:5	
132:8 - 132:19	
133:22 - 135:16	F; P; IO
135:19 - 135:19	F; P; IO
135:21 - 136:18	F; P; IO
136:22 - 137:17	F; P; IO
139:3 - 139:4	
139:7 - 141:14	F; P; H
159:19 - 159:22	IO
160:5 - 160:8	IO
160:11 - 160:15	IO
160:18 - 160:21	IO
161:17 - 161:23	
162:4 - 162:9	
163:7 - 164:10	
164:13 - 164:23	
165:4 - 165:15	NR

166:3 - 166:10	P
197:12 - 197:18	
197:25 - 198:3	NR; F
200:18 - 200:23	NR; P
206:4 - 206:18	
219:19 - 220:14	
220:24 - 222:1	
222:7 - 223:7	
234:17 - 234:18	
251:18 - 252:3	
258:11 - 259:2	
260:11 - 260:18	
265:14 - 265:25	
274:3 - 274:5	H; F; NE; P
275:15 - 275:18	
275:23 - 276:6	H; F; NE; P
305:13 - 307:13	R; H; P; IO
334:12 - 334:20	F; IO; P
338:21 - 338:25	F
341:11 - 342:1	
342:18 - 342:25	NE
348:2 - 348:7	
352:10 - 352:11	
352:24 - 354:2	F; L; P

Alan Roireau
August 1, 2018

Defendants' Counter-Designations	Plaintiff's Objections
16:25 - 17:17	
30:21 - 31:1	NR
33:8 - 33:12	NR
36:13 - 36:16	
36:21 - 37:3	NR
71:20 - 72:11	H; F; NR; P
75:3 - 75:9	IO
76:10 - 76:22	
77:17 - 77:22	D; NR; P
78:2 - 78:19	
83:20 - 84:22	R; P
99:6 - 99:13	P
110:18 - 110:21	

Andrew Scheiner April 19, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
15:13 - 18:13	
19:11 - 19:13	
20:9 - 20:23	
22:1 - 22:4	
33:20 - 34:2	IC; P
34:20 - 34:24	P
56:8 - 56:14	P
62:10 - 62:15	P
65:21 - 67:2	P; NR
67:19 - 67:22	P; F; IO
67:25 - 68:9	P; F; IO
69:10 - 72:6	P; IO
72:24 - 73:9	I
77:22 - 78:1	
91:24 - 91:25	F; P
92:4 - 92:12	F; P
111:12 - 112:7	P
112:22 - 113:11	F; P
128:15 - 129:1	
129:14 - 129:22	
131:2 - 131:4	
131:17 - 132:16	F; IO
152:8 - 152:24	H; F
159:5 - 159:22	P; F
172:15 - 172:19	
173:18 - 175:2	
180:24 - 181:8	P
191:10 - 191:23	F
239:9 - 239:24	P
240:6 - 240:12	P; L; IO
240:15 - 241:14	P; L; IO
Zachary Schmid June 20, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
52:21 - 53:8	
53:16 - 54:1	
56:23 - 57:16	
57:17 - 59:3	
60:20 - 61:1	
64:7 - 65:24	P; H

66:24 - 69:14	P; H; IO
70:2 - 72:1	P
115:25 - 116:5	F
116:6 - 116:12	F
116:13 - 116:20	F
117:6 - 117:19	F
118:21 - 119:14	P

Richard Sisson
April 17, 2018

Defendants' Counter-Designations	Plaintiff's Objections
10:25 - 11:3	
11:8 - 11:12	
15:23 - 16:1	
16:17 - 16:20	P
28:3 - 28:9	P
28:13 - 28:17	P
28:25 - 30:9	P
30:16 - 31:4	P
34:15 - 35:10	P
35:12 - 35:24	P
36:3 - 38:24	P
39:8 - 39:22	P
40:2 - 41:2	P
41:5 - 41:16	P
48:15 - 51:20	P
54:11 - 54:11	P
54:12 - 56:21	P
60:20 - 61:16	P
72:15 - 73:8	
81:17 - 82:16	
93:7 - 93:24	
103:8 - 103:15	
118:19 - 120:9	
122:1 - 122:13	
129:15 - 130:7	
130:17 - 131:3	
135:24 - 137:1	P
143:4 - 143:16	
146:3 - 146:14	
147:2 - 148:12	
153:20 - 154:3	
154:16 - 155:18	
158:11 - 158:23	
163:12 - 163:20	

164:7 - 164:11	
172:17 - 172:19	P
174:3 - 174:11	P
174:18 - 174:20	P
176:7 - 177:20	P
184:8 - 186:20	P; F; H
187:4 - 187:9	P; F; H
189:3 - 189:25	
195:8 - 195:22	
205:21 - 206:4	P
206:19 - 207:16	P
207:18 - 208:21	P
209:10 - 209:21	P
212:22 - 213:2	P
213:12 - 213:25	P
216:3 - 216:5	
216:7 - 217:8	
223:22 - 224:14	P
224:17 - 225:3	P
225:22 - 227:17	
230:4 - 230:9	
233:25 - 234:23	
243:21 - 245:21	P; F
246:1 - 246:2	P; F
247:2 - 247:13	
252:4 - 252:13	
255:19 - 256:2	
261:6 - 261:13	
268:3 - 268:9	P; V
270:1 - 270:15	P; V
287:6 - 287:11	
289:12 - 289:19	P
290:10 - 290:13	
290:24 - 291:7	
299:9 - 299:10	
301:11 - 302:12	
302:14 - 302:19	
302:21 - 302:24	
303:1 - 305:11	P
Richard Sisson August 2, 2018	
Defendants' Counter-Designations Plaintiff's Objections	
7:6 - 7:12	
18:6 - 18:18	

18:24 - 19:10	
20:16 - 21:14	P; H
46:5 - 46:6	
51:15 - 51:20	
66:16 - 66:22	
67:5 - 67:13	
67:19 - 68:6	
69:16 - 69:18	
70:12 - 70:17	
71:9 - 71:25	
73:18 - 74:21	P
74:25 - 75:8	P
75:11 - 76:17	P
76:25 - 77:2	P
77:7 - 77:8	P
78:12 - 78:22	
79:4 - 81:20	P
Jason Sprinkle May 18, 2018	

Defendants' Counter-Designations	Plaintiff's Objections
11:16 - 11:19	
12:6 - 12:11	
12:23 - 13:6	
18:20 - 18:24	
32:20 - 33:12	
36:12 - 36:15	
37:12 - 37:25	
38:5 - 38:19	
38:22 - 39:11	
39:18 - 39:19	
39:22 - 41:3	
43:8 - 43:13	
47:6 - 47:15	
54:13 - 55:16	
58:3 - 58:18	
59:11 - 61:21	
62:7 - 62:9	
62:23 - 64:15	
83:8 - 87:11	
88:11 - 89:15	F
89:24 - 90:4	
92:19 - 93:14	F
94:9 - 95:10	
98:14 - 99:14	

103:4 - 104:4	F
105:3 - 105:5	
106:4 - 106:13	
116:15 - 116:17	
116:21 - 118:6	
120:5 - 120:13	
120:23 - 121:16	
123:13 - 123:21	
139:5 - 139:16	
139:21 - 141:7	
141:22 - 144:16	
144:24 - 145:6	
149:17 - 149:18	
150:5 - 152:4	
159:2 - 160:5	
163:5 - 163:9	
163:17 - 164:6	
168:7 - 168:14	
178:23 - 179:19	
179:23 - 180:12	F
180:18 - 181:10	F
181:24 - 185:12	F
185:25 - 186:22	
187:3 - 187:15	
194:22 - 195:10	
198:11 - 198:12	
202:14 - 203:7	
207:4 - 207:21	F
211:25 - 213:9	
226:4 - 227:14	
237:14 - 237:16	
237:22 - 238:22	
241:25 - 242:15	
242:16 - 244:5	
251:4 - 251:19	
251:24 - 253:9	
255:2 - 255:10	
256:24 - 257:21	
257:25 - 258:15	
265:11 - 265:18	
269:8 - 269:17	
269:23 - 270:15	
270:25 - 271:2	
282:15 - 284:9	
287:4 - 287:20	

Jason Sprinkle July 11, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
322:7 - 322:13	
323:1 - 323:11	
328:8 - 328:16	
330:12 - 330:15	
330:23 - 331:3	
337:3 - 337:19	
337:22 - 339:2	
339:6 - 340:20	
348:23 - 349:7	
350:12 - 350:13	
350:16 - 351:5	
365:24 - 366:15	
367:8 - 368:11	F
370:3 - 370:15	
371:18 - 372:10	
377:12 - 378:8	
378:19 - 379:12	
390:15 - 391:6	
394:4 - 394:6	
395:18 - 396:10	
399:10 - 399:17	
400:3 - 400:4	
407:20 - 408:3	
413:19 - 414:3	
414:14 - 415:8	
415:15 - 418:11	
418:24 - 419:24	
420:7 - 421:18	
422:7 - 422:10	
423:24 - 424:19	
424:23 - 425:6	
425:14 - 425:19	
426:3 - 427:12	
428:2 - 428:5	
428:8 - 428:11	
428:16 - 429:19	
430:11 - 430:17	
431:2 - 431:23	
463:19 - 463:20	
467:2 - 467:19	
468:12 - 471:4	F

Paul Suggs June 8, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
6:5 - 6:18	
16:15 - 16:20	
31:18 - 31:21	
35:8 - 35:22	P; NR
39:17 - 40:4	F; NR
40:10 - 40:18	
40:19 - 41:14	F; NR; IO
44:17 - 44:18	
46:9 - 47:12	
51:16 - 54:7	F; NR; IO
59:11 - 60:3	P; F
67:8 - 67:22	
69:24 - 70:7	
88:9 - 88:10	LC; IO
88:13 - 88:21	LC; IO
92:24 - 93:19	NR
95:12 - 95:25	
101:22 - 101:23	
115:5 - 115:16	P
144:18 - 144:24	F
158:10 - 158:21	F; P
160:6 - 161:7	F; P
170:9 - 171:15	F; P
212:17 - 212:20	F; P
212:24 - 213:6	P
222:23 - 223:2	
227:9 - 227:13	F; P
227:25 - 228:2	F; P
228:5 - 228:8	
245:20 - 247:22	
248:5 - 248:24	
252:6 - 252:16	
John Taylor May 30, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
14:25 - 15:8	
39:5 - 40:8	H H
46:12 - 46:23	F; H
50:22 - 51:3	

96:11 - 96:16	
136:6 - 137:12	F; H
138:14 - 139:20	F
140:20 - 143:21	
144:1 - 145:7	
161:6 - 161:18	
225:8 - 225:9	
250:13 - 251:2	
264:18 - 265:5	
265:16 - 266:9	

Zachary Trover
April 18, 2018

Defendants' Counter-Designations	Plaintiff's Objections
38:18 - 40:10	F
40:11 - 40:16	F
41:1 - 41:9	F
100:4 - 100:17	
134:22 - 135:14	F
136:6 - 136:25	
137:20 - 138:14	

Joseph Valandra
September 27, 2018

Defendants' Counter-Designations	Plaintiff's Objections
9:6 - 9:17	
22:22 - 23:22	
28:25 - 29:12	
30:23 - 32:9	
33:4 - 33:14	
42:14 - 43:13	
43:22 - 45:13	
154:23 - 154:25	P
155:16 - 155:22	P
192:9 - 193:4	P
204:23 - 205:7	P
220:21 - 220:25	P
222:24 - 223:5	
224:10 - 226:16	
228:9 - 229:15	
246:14 - 246:18	P

Arthur Watson July 12, 2018	
Defendants' Counter-Designations	Plaintiff's Objections
	No objections
	George Weilacher February 16, 2018
Defendants' Counter-Designations	Plaintiff's Objections
18:24 - 19:3	
22:25 - 23:7	
33:10 - 33:19	
34:16 - 35:1	
35:5 - 35:11	
36:22 - 36:24	
41:12 - 41:16	
51:6 - 51:8	
51:16 - 51:22	
53:5 - 53:7	P
57:25 - 58:6	P
60:7 - 60:16	P
60:25 - 61:5	P
62:6 - 62:17	P
63:4 - 63:24	P
76:1 - 76:2	
76:8 - 76:9	
83:10 - 83:18	
84:22 - 85:8	P; NR
86:4 - 87:2	P; NR
90:17 - 91:3	P
111:7 - 111:8	P
111:12 - 111:18	P
111:25 - 112:4	P
134:18 - 135:12	
135:21 - 136:15	
137:7 - 137:19	
138:8 - 139:9	P
139:17 - 140:3	P
144:23 - 145:8	
150:14 - 150:25	
153:16 - 154:4	P
156:12 - 156:17	
157:22 - 158:2	
158:21 - 158:24	
159:5 - 159:16	P

160:1 - 160:13	
162:22 - 163:4	
163:11 - 163:19	
164:17 - 164:22	P
165:8 - 165:10	
168:12 - 168:17	
172:20 - 172:22	P
173:1 - 173:3	P
230:16 - 230:23	F; NR
232:7 - 232:12	
248:20 - 249:4	P
252:10 - 252:25	P; F
253:6 - 253:14	P
261:2 - 261:9	P
261:14 - 262:1	P

John Yarbrough
July 11, 2018

Defendants' Counter-Designations	Plaintiff's Objections
7:11 - 7:24	P
23:24 - 24:3	
32:19 - 39:24	P
45:9 - 45:20	P
46:22 - 47:6	
60:19 - 63:12	P; R; V
63:15 - 65:16	P; R
65:20 - 72:15	P; R;
72:19 - 72:19	P; V
72:22 - 72:22	P; V
72:24 - 74:15	P; V; IO
74:17 - 76:15	P; IO
76:18 - 77:7	P; A; C
77:13 - 77:24	P; A; C
78:1 - 78:11	P; IO
79:3 - 80:9	P; EX
80:12 - 80:16	P
81:20 - 82:24	P
83:1 - 83:14	P
83:24 - 84:12	P
84:15 - 86:9	P
93:8 - 94:6	P; A
94:13 - 94:17	P; A
94:20 - 94:21	P
96:12 - 97:23	P
102:10 - 102:18	P; R

102:20 - 104:12	P; R
104:14 - 106:13	P; R
106:15 - 108:13	P; R
108:15 - 110:1	P; R
110:16 - 111:11	P; R
112:18 - 112:20	
116:25 - 117:25	P; R
118:17 - 119:12	P
119:19 - 119:24	P
120:24 - 122:16	P
122:18 - 123:6	P
123:8 - 124:22	P
124:24 - 126:7	P
126:9 - 128:14	P
128:16 - 131:11	P
131:13 - 131:20	P
131:22 - 132:25	P
145:9 - 145:11	P; F; IO
145:13 - 145:16	P; F; IO
151:20 - 153:11	P
153:14 - 153:25	P
154:3 - 154:5	P
154:7 - 154:22	P
154:24 - 155:22	P
156:18 - 157:6	P; EX
163:2 - 163:10	P; M
163:13 - 164:7	P; M
164:8 - 164:9	P; EX
164:11 - 164:16	P; EX
164:18 - 164:18	P; EX
164:21 - 165:14	P; EX
166:21 - 166:23	
167:15 - 167:21	
168:1 - 168:2	P
170:5 - 170:7	P; R
170:10 - 170:12	P; R
170:22 - 170:23	
170:25 - 171:8	P; MD
171:10 - 171:17	P; MD
176:3 - 176:16	P
176:20 - 177:16	P
178:2 - 178:9	
180:17 - 180:25	P
181:3 - 181:9	P
181:17 - 182:3	P; I

183:24 - 183:24	
184:2 - 184:8	P
185:4 - 186:13	P
186:24 - 187:12	P
187:14 - 191:10	P
192:9 - 194:13	P
194:18 - 195:21	P
196:7 - 197:5	P
204:14 - 204:15	P; LC; V
204:17 - 204:19	P; LC; V
206:21 - 208:18	P; H
221:11 - 221:12	
228:3 - 228:7	I
229:4 - 229:17	I
230:1 - 230:4	
230:6 - 230:16	
230:19 - 231:5	
231:9 - 231:12	
231:14 - 231:25	F
232:8 - 232:17	F
232:20 - 232:22	F